

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of

Guinness Communications Inc. d/b/a Delta
Cable Vision Request for Waiver of
47 C.F.R. § 76.1204(a)(1)

CSR-7202-Z

REPLY COMMENTS OF DELTA CABLE VISION

Guinness Communications Inc. d/b/a Delta Cable Vision (“Delta Cable”) submits these reply comments in support of its request for a waiver from the integration ban for the low-cost DCT-700 set-top box. None of Delta Cable’s 750 U.S. customers wrote the Commission to oppose its request for waiver, nor did any other resident or business with a direct connection to Point Roberts, Washington or the surrounding Vancouver, British Columbia metropolitan area. The only comments filed were by Motorola, which strongly supported Delta Cable’s request,¹ and by the Consumer Electronics Association, which did not oppose the request but asked the Commission “bear in mind that too many or too liberal exceptions would serve to ratify the nullification of FCC regulations by larger MSOs and their vendors.”²

CEA’s stated concern is clearly unfounded in this case. Delta Cable serves only 750 customers in one community, Point Roberts, Washington, a town that is not

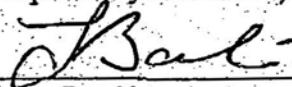
¹ Motorola Comments (June 7, 2007)

² CEA Comments at 2. CEA also states that “implementation of the rule has been postponed so long that operators like the Petitioners now depend on the product decisions of a single vendor. A waiver of the common reliance rule will not give Petitioners any additional influence over monopoly [sic] vendors.” CEA Comments at 2. In the first place, Delta Cable has more choices of suppliers today than it did in 1998, thanks to the entry of Pace into the set-top market. Second, Delta Cable welcomes CEA members to offer competitive wholesale alternatives to Motorola and Pace set-top boxes.

connected to the continental United States.³ In addition, grant of Delta Cable's requested waiver would not create any new precedent, but instead would be a ratification of the Commission's existing precedent that a waiver for the Motorola DCT-700 device would serve the public interest where such waiver would enable the MVPD to have in place an all-digital network for the DTV transition in February 2009. Only a very small number of (all small) cable operators have requested such relief, five months after the Commission invited such waiver requests.

Delta Cable qualifies for the relief granted by the Commission to BendBroadband,⁴ GCI,⁵ and Millennium Telcom,⁶ including its submission of an affidavit pledging that if granted a waiver it will transition to an all-digital network prior to February 17, 2009. No party has presented any case for reversal of these Bureau decisions. Therefore, based upon its precedent in those three cases, and upon the public interest demonstration set forth in Delta Cable's request, the Commission should grant the unopposed waiver as soon as possible.

Respectfully submitted,



Larry Boulé
General Manager
Delta Cable Communications Ltd.
5381 48th Ave.
Delta, BC V4K 1W7

June 12, 2007

³ Request for Waiver at 1-2.

⁴ *Bend Cable Communications, LLC d/b/a BendBroadband Request for Waiver of Section 76.1204(a)(1) of the Commission's Rules*, CSR-7057-Z, Memorandum Opinion and Order, DA 07-47 (rel. Jan. 10, 2007).

⁵ *GCI Cable, Inc. Request for Waiver of Section 76.1204(a)(1) of the Commission's Rules*, CSR-7130-Z, Memorandum Opinion and Order, DA 07-2010 (rel. May 4, 2007).

⁶ *Millennium Telcom, LLC d/b/a OneSource Communications Request for Waiver Section 76.1204(a)(1) of the Commission's Rules*, CSR-7129-Z, Memorandum Opinion and Order, DA 07-2009 (rel. May 4, 2007).